D.B. SPEICAL APPEAL (W) NO. 268/2007
M/s Banshi Lal Bishnoi
Vs.
State of Rajasthan and Ors.

Date of Order : 04.04.2007

HON'BLE MR JUSTICE RAJESH BALIA
HON'BLE MR JUSTICE BHANWAROO KHAN

Mr.D.D. Thanvi, for the appellant.

Heard learned counsel for the appellant.

We notice that the impugned order 10.5.2005 is an order passed by Mining Engineer levying penalty and royalty at double the regular rate which is amenable to appeal under Minor Mineral Concession Rules.

The question raised by the learned counsel for the appellant requires enquiry into many facts which need to be established before the appropriate authority.

In these circumstances, we are of the opinion that it is not a fit case for invoking extra ordinary jurisdiction by this Court and the appellant be left free to avail alternative remedy.

Subject to this modification, the appeal and writ petition stands disposed of.

(BHANWAROO KHAN),J. (RAJESH BALIA),J.

Rm/-